

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

WINERIES OF THE OLD MISSION  
PENINSULA (WOMP) ASSOC., a Michigan  
Nonprofit Corporation, BOWERS HARBOR  
VINEYARD & WINERY, INC, BRY'S WINERY,  
LLC, CHATEAU GRAND TRAVERSE, LTD,  
CHATEAU OPERATIONS, LTD, GRAPE  
HARBOR, INC., MONTAGUE  
DEVELOPMENT, LLC, OV THE FARM, LLC,  
TABONE VINEYARDS, LLC., TWO LADS,  
LLC, VILLA MARI LLC, WINERY AT BLACK  
STAR FARMS, L.L.C.,

Case No: 1:20-cv-01008

Honorable Paul L. Maloney  
Magistrate Ray S. Kent

ORAL ARGUMENT REQUESTED

Plaintiffs,

v

PENINSULA TOWNSHIP, Michigan Municipal  
Corporation,  
Defendant.

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MILLER, CANFIELD, PADDOCK  
AND STONE, PLC  
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**PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

Plaintiffs, WINERIES OF THE OLD MISSION PENINSULA (WOMP) ASSOC.,  
BOWERS HARBOR VINEYARD & WINERY, INC., BRY'S WINERY, LLC, CHATEAU  
GRAND TRAVERSE, LTD, CHATEAU OPERATIONS, LTD, GRAPE HARBOR, INC.,  
MONTAGUE DEVELOPMENT, LLC, OV THE FARM, LLC, TABONE VINEYARDS, LLC.,

TWO LADS, LLC, VILLA MARI LLC, WINERY AT BLACK STAR FARMS, L.L.C., (collectively “Plaintiffs”), by and through their attorneys, Miller, Canfield, Paddock and Stone, P.L.C. move pursuant to Fed. R. Civ. P. 56 for summary judgment on Counts I, II, IV, V, VI, and VII of their First Amended Complaint as there is no genuine issue of material fact and Plaintiffs are entitled to judgment as a matter of law. Plaintiffs rely on the attached Brief in Support of Motion for Partial Summary Judgment and the Exhibits thereto in support of the relief requested.

WHEREFORE, Plaintiffs respectfully requests that this Court enter a judgment in their favor and declare that Sections 6.7.2(19)(a), 6.7.2(19)(b)(1)(ii), 6.7.2(19)(b)(1)(iii), 6.7.2(19)(b)(1)(v), 6.7.2(19)(b)(2)(i), 6.7.2(19)(b)(2)(v), 6.7.2(19)(b)(6), 8.7.3(10)(m), 8.7.3(10)(u)(1)(b), 8.7.3(10)(u)(1)(d), 8.7.3(10)(u)(2)(a), 8.7.3(10)(u)(2)(b), 8.7.3(10)(u)(2)(c), 8.7.3(10)(u)(2)(d), 8.7.3(10)(u)(2)(e), 8.7.3(10)(u)(3), 8.7.3(10)(u)(5)(a), 8.7.3(10)(u)(5)(c), 8.7.3(10)(u)(5)(d), 8.7.3(10)(u)(5)(h), 8.7.3(12)(i), and 8.7.3(12)(k) of Peninsula Township’s Ordinance are unconstitutional and award Plaintiffs’ their costs and attorneys’ fees incurred in bringing this action.

Respectfully submitted,

MILLER, CANFIELD, PADDOCK  
AND STONE, P.L.C.

By: /s/ Joseph M. Infante  
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